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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,724	12/01/2000	Kiran Gurudutt Bellare	ORCL5672	5312
53156	7590	08/22/2006	EXAMINER	
YOUNG LAW FIRM, P.C. 4370 ALPINE RD. STE. 106 PORTOLA VALLEY, CA 94028			CHOUDHURY, AZIZUL Q	
			ART UNIT	PAPER NUMBER
			2145	

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/728,724	<b>Applicant(s)</b> BELLARE ET AL.	
	<b>Examiner</b> Azizul Choudhury	<b>Art Unit</b> 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 and 23-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 and 23-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Detailed Action***

This office action is in response to the correspondence received on June 8, 2006.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 and 23-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pearson (US Pat No: US006023684A) in view of McMichael (US Pat No: US006941339B1).

1. With regards to claims 1, 18 and 35, Pearson teaches through McMichael a method for a first server to select content to be displayed on a computer accessing a Web site of a second server, comprising the steps of: collecting user identification data from the computer accessing the Web site (In Pearson's design, the client is equivalent to the claimed computer and the application service is equivalent to the claimed first server; see column 4, lines 1-18, Pearson); sending the collected user identification data to the first server (In Pearson, the data memory is equivalent to the claimed database; see column 4, lines 1-43, Pearson); retrieving user information corresponding to the user identification data from a database of user information accessible to the first server (see column 4, lines 19-43, Pearson); applying the retrieved user information to a

rule base including a plurality of rules (see column 3, lines 8-29, McMichael); selecting content to be displayed on the second server's Web site based upon a result of the application of the retrieved user information to at least one of the plurality of rules, and causing the Web site to display the selected content to the accessing computer (In Pearson's design, the host is equivalent to the claimed second server, see column 4, lines 43-65, Pearson. In addition, data transferred to the client from the host conforms to HTTP, which makes evident that means for transferring a web site from the host to the client are present (column 6, lines 44-50, Pearson)).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29 – column 6, line 15, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

2. With regards to claims 2, 30, 34, and 36, Pearson teaches through McMichael a method wherein at least one of the plurality of rules is customizable (see column 6, lines 30-37, McMichael).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that

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allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

3. With regards to claims 3, 19 and 37, Pearson teaches through McMichael a method wherein the user identification data is included in at least one file stored on the accessing computer (see column 12, line 30, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

4. With regards to claims 4, 20 and 38, Pearson teaches through McMichael a method wherein the at least one file is configured as a cookie (see column 12, line 30, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that

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allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

5. With regards to claim 5, Pearson teaches through McMichael a method wherein the causing step includes a step of sending the selected content to the second server (see column 4, lines 1-18, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

6. With regards to claim 6, Pearson teaches through McMichael a method wherein the second server further carries out a step of integrating the selected content into the Web site displayed to the user (see column 4, lines 44-65, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that

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allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

7. With regards to claims 7 and 23, Pearson teaches through McMichael a method wherein the second server further carries out a step of transmitting the selected content to the accessing computer and wherein a browser running on the accessing computer integrates the selected content into a currently displayed page of the Web site (see column 4, lines 44-65, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

8. With regards to claims 8, 24 and 39, Pearson teaches through McMichael a method wherein the transmitting step is carried out via HTTP and TCP/IP (see column 6, lines 44-67, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

9. With regards to claims 9 and 25, Pearson teaches through McMichael a method wherein the causing step includes a step of sending to the second server an address of the selected content (Such means are well known in the art, see column 2, lines 33-51, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

10. With regards to claims 10 and 26, Pearson teaches through McMichael a method wherein the second server carries out a step of fetching the selected content at the



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address sent by the first server and integrating the fetched selected content into a currently displayed page of the Web site (see column 2, lines 33-51 and column 4, lines 44-65, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

11. With regards to claims 11 and 27, Pearson teaches through McMichael a method wherein the second server sends the address of the selected content to the accessing computer and wherein the accessing computer fetches the selected content at the address sent by the second server and integrates the fetched selected content into a currently displayed page of the Web site (see column 2, lines 33-51 and column 4, lines 44-65, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the

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teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

12. With regards to claims 12, 28 and 40, Pearson teaches through McMichael a method wherein the content includes at least one of an advertisement, a product recommendation and a link to another Web site (see column 5, lines 15-32, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

13. With regards to claims 13, 29 and 41, Pearson teaches through McMichael a method wherein the selected content includes a combination of the product recommendation and a deep link into said another Web site where the recommended product is featured (see column 5, lines 15-32, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been

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obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

14. With regards to claims 14, 30 and 42, Pearson teaches through McMichael a method wherein an applicability of at least one of the plurality of rules of the rule base is selectively limited by at least one parameter (see column 6, lines 30-37, McMichael).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

15. With regards to claims 15, 31 and 43, Pearson teaches through McMichael a method wherein the at least one parameter includes time, date, geography, age, sex, income level, browser type and record of past purchases or inquiries (see column 1, line 54 – column 2, line 5, McMichael).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database

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information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

16. With regards to claims 16, 32 and 44, Pearson teaches through McMichael a method further comprising the step of updating the database of user information based upon an activity of a user of the accessing computer (see column 4, lines 1-18, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

17. With regard to claims 17 and 33, Pearson teaches through McMichael a method wherein the sending step sends a request for the selected content along with the collected user identification data (see column 4, lines 1-43, Pearson).

(While both Pearson and McMichael teach proxy based network service designs, Pearson's design does not disclose the use of rules. McMichael discloses a design that

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allows for customized rules to be applied to user requests using on database information (see column 5, lines 29-63, McMichael). Therefore, it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Pearson with those of McMichael, for the purpose of dynamically adjusting portal views accessed by the user (column 2, lines 21-32, McMichael)).

### ***Response to Remarks***

The amendment received on June 8, 2006 has been examined but is not deemed fully persuasive. The following are the examiner's response to the applicant's remarks.

The first point of contention involved the 112-type rejection issued in the last office action. The applicant detailed how "deep link" is a well-known phrase and requested the rejection be withdrawn. The examiner reviewed the applicant's explanation and concurs. The 112-type rejection has been withdrawn.

The second point of contention remarked upon by the applicant concerns the host within Pearson's design. The applicant contends that the host is shown in Figure 6 as being the "Credit Card Processor," the "Bill Payment Processor," the "Retail Bank Processor," and the "ATM Processor." The applicant also contends that these servers are called the "Back End Servers" in Pearson's design. Based on this analysis, the applicant insists that the rejection "fails on its face" since the applicant contends that Pearson does not teach a computer accessing any web site of the "Credit Card Processor," the "Bill Payment Processor," the "Retail Bank Processor," or the "ATM

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Processor.” The examiner disagrees with this analysis and conclusion. First, Figure 6 is simply one embodiment of Pearson’s teachings, by no way is it the only teaching. To suggest that Pearson’s host is only a “Credit Card Processor,” the “Bill Payment Processor,” the “Retail Bank Processor,” or the “ATM Processor” is an incorrect analysis of the disclosure and its teachings. They are simply examples and various services are applicable to Pearson’s design. Second, data transferred to the client from the host conforms to HTTP, which makes evident that means for transferring a web site from the host to the client are present (column 6, lines 44-50, Pearson).

The third point of contention remarked upon by the applicant concerns the claimed trait of content that is selected “based upon a result of the application of the retrieved user information to at least one of the plurality of rules...” The applicant contends that such a trait is not taught. The examiner disagrees with this contention. McMichael teaches how user information is applied to a rules database to customize results received by the user from a host (column 5, line 29 – column 6, line 15, McMichael).

The fourth point of contention involves the rules. Applicant contends that claim 18 requires the rule base be accessible to the merchant web server and insists that McMichael teaches rules that are set by the user, not the merchant. Again, the examiner disagrees with the applicant’s analysis. McMichael not only teaches user input for the rules but, also teaches that the rules are accessible (as claimed) to a server(s) (Figure 2 illustrates the rules database and the rules engine being connected to the network (which obviously features servers such as commercial web servers)).

The fifth point of contention involves the claimed traits "integrate the selected content into the Web site controlled by the affiliate server (claim 18)," and "request for the personalized content from the accessing computer, the accessing computer having accessed a Web page (claim 35)." The applicant contends that neither trait is taught. The examiner disagrees with this assertion. The contended claim traits within claim 18 and claim 35 are deemed equivalent to the claim 1 trait of "causing the website to display the selected content to the accessing computer." This trait is taught by Pearson in column 4, lines 43-65.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is (571) 272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC



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